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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,689	07/16/2003	Bruce L. Horn	7118-001US	1760
35531	7590	11/14/2006	EXAMINER	
JACQUES M. DULIN, ESQ. DBA INNOVATION LAW GROUP, LTD. 237 NORTH SEQUIM AVENUE SEQUIM, WA 98382-3456			MYINT, DENNIS Y	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/621,689	Applicant(s) HORN, BRUCE L.	
	Examiner Dennis Myint	Art Unit 2162	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 October 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 1-20.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER


11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

Amendments made to claims 1, 2, 8, 11, 12, and 18 require further consideration and/or search.

Amendment made to Claim 1 in Lines 24-31, combining e) iii and e) iv, amendment made to Claim 2 in Lines 14-16 which adds a new limitation, "maintaining persistent collections with dynamic up-dating as the object domains chain so as to reflect the true contents of the collection", amendment made to Claim 2 Lines 29-33, which adds a new limitation "wherein said automatic generation of collection contents by criteria specified for collection membership through at least one object content attribute selected by the user includes selection by the user from among at least one of user-defined categorizations, user or system-defined metadata query specifications, said user-defined key-phrase matching, and combination thereof", amendment made to Claim 8 in Lines 2-4, which adds a new limitation, "of an expandable outline in a single window where the contents of multiple branches and multiple levels of a hierarchy may be visible at once", amendment made to Claim 8 in Lines 5, which adds a new limitation "hierarchy in said single window", amendment made to Claim 8 Line 6, which adds a new limitation "of the objects being viewed", amendment to Claim 8 in Line 7, which adds new limitations "sticky path" and "at the top", amendment to Claim 8 in Line 8-9, which adds a new limitation "past the beginnings of a new open branch of the hierarchy, thus entering the branch", amendment made to Claim 8 in Line 10, which adds a new limitation "sticky path", amendment made to Claim 8 in Lines 11-13, which adds new limitations "that automatically expands to show the branches of the full containment path to the first item currently visible in the expandable outline", amendment made to Claim 8 in Lines 12-13, which adds a new limitation "when scrolling continues past the end of the open branch of the hierarchy to exit the branch in", amendment made to Claim 8 in Lines 14-18, which adds a new limitation "container of that branch is deleted from said sticky path window portion, automatically shrinking the dynamically-updated sticky path portion of said window to show as visible in said sticky path portion of said window only the containment hierarchy path branches to the then-open branch of said hierarchy", amendment made to Claim 11 in Lines 23-30, combining e) iii and e) iv, amendment made to Claim 12 in Lines 15-18, which adds a new limitation "maintaining persistent collections with dynamic up-dating as the object domains chain so as to reflect the true contents of the collection", amendment made to Claim 12 Lines 30-35, which adds a new limitation "wherein said automatic generation of collection contents by criteria specified for collection membership through at least one object content attribute selected by the user includes selection by the user from among at least one of user-defined categorizations, user or system-defined metadata query specifications, said user-defined key-phrase matching, and combination thereof", amendment made to Claim 18 in Lines 3-5, which adds a new limitation, "of an expandable outline in a single window where the contents of multiple branches and multiple levels of a hierarchy may be visible at once", amendment made to Claim 18 in Lines 6, which adds a new limitation "hierarchy in said single window", amendment made to Claim 18 Line 7, which adds a new limitation "of the objects being viewed", amendment to Claim 18 in Line 8, which adds new limitations "sticky path" and "at the top", amendment to Claim 18 in Line 9-10, which adds a new limitation "past the beginnings of a new open branch of the hierarchy, thus entering the branch", amendment made to Claim 18 in Line 11, which adds a new limitation "sticky path", amendment made to Claim 18 in Lines 11-14, which adds new limitations "that automatically expands to show the branches of the full containment path to the first item currently visible in the expandable outline", amendment made to Claim 18 in Lines 13-14, which adds a new limitation "when scrolling continues past the end of the open branch of the hierarchy to exit the branch in", amendment made to Claim 18 in Lines 15-18, which adds a new limitation "container of that branch is deleted from said sticky path window portion, automatically shrinking the dynamically-updated sticky path portion of said window to show as visible in said sticky path portion of said window only the containment hierarchy path branches to the then-open branch of said hierarchy", require further consideration and/or search.

As per the incorrect statement that the Examiner made which states "Claims 21-30 are newly added", from review of the file record, Applicant is correct that there are no claims 21-30 in the current application.


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